

**PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT**

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**DATE:** June 6, 2002

**TO:** Orange County Zoning Administrator

**FROM:** Planning and Development Services Department/Current Planning Services Division

**SUBJECT:** Public Hearing on Planning Application PA02-0046 for Coastal Development Permit

**PROPOSAL:** Construction of a three-story addition to the front of an existing three-story single-family dwelling, which is located at the rear of the lot (on the ocean side). The existing dwelling has 1,077 square feet of living area. The proposed addition increases the total living area to 4,205 square feet. The existing two-car garage will be relocated to the ground floor of the new addition. A new 34 feet wide by 20 feet deep ground level deck is proposed in the county easement area to the rear of the dwelling.

**LOCATION:** In the community of Sunset Beach, on the southwest corner of South Pacific Avenue and 20<sup>th</sup> Street at 16601 South Pacific. Second Supervisorial District.

**APPLICANT:** Angel and Jehan Reyes

**STAFF** William V. Melton, Project Manager

**CONTACT:** Phone: (714) 834-2541 FAX: (714) 667-8344

**SYNOPSIS:** Current Planning Services Division recommends Zoning Administrator approval of PA02-0046 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

**BACKGROUND:**

The subject site is a typical corner beachfront lot in this portion of Sunset Beach measuring 40 feet wide by 77 feet deep. The property is in the Sunset Beach Specific Plan/Local Coastal Program and has a land use designation of SBR "Sunset Beach Residential". One or two dwellings are permitted on each building site in the SBR designation. The lot is improved with a three-story single-family dwelling constructed in the rear half of the lot (beach side). An existing two-car garage is accessed from 20<sup>th</sup> Street.

The applicant proposes to add a new three-story addition to the existing dwelling at the front of the lot (on South Pacific Ave.). The addition includes a new two-car garage that will maintain the access from 20<sup>th</sup> Street. The existing garage will be converted to living area as part of the proposed addition. The rear walls on the 2<sup>nd</sup> and 3<sup>rd</sup> levels will be moved back to allow for new 5 feet deep decks.

The Coastal Development Permit also includes an addition of a new ground level deck located at the rear of the property. The deck is located in the SBB "Sunset Beach Beach" district. The area was once planned

as a 20 feet wide road called Ocean Avenue on the original Sunset Beach Subdivision map. A twenty-foot encroachment is permitted in this County area for uncovered ground level decks. The proposed deck measures 20 feet deep by 36 feet – 6 inches wide. The width of a deck is determined by extending the side yard setback lines. In addition to the Coastal Development Permit the applicant will be required to obtain a Public Properties Permit for the deck addition. A condition of approval will require the applicant to design and construct the new deck to County design standards. The project site is also in the FP “Floodplain”-3 overlay district. The applicant is required to construct the addition in accordance with the special FP-3 standards and a condition of approval has been included within Appendix B to insure compliance with County standards. In addition to the FP-3 requirements, special seismic foundation footings are required.

A Coastal Development Permit is required for this proposal because the site is in the Coastal Commission appealable area of the coastal zone and the proposed addition exceeds 10% of the square footage of the existing dwelling; and, because of the proposed deck in the encroachment area.

**SURROUNDING LAND USE:** (assumes Pacific Ocean is to the west)

Direction	Land Use Designation	Existing Land Use
Project Site	SBR “Sunset Beach Residential	Residential
North	SBR “Sunset Beach Residential	Residential
South	SBR “Sunset Beach Residential	Residential
East	SBP “Sunset Beach Parking” SBT “Sunset Beach Tourist”	Public parking facility Commercial/Retail
West	SBB “Sunset Beach Beach”	Beach/County easement area

**REFERRAL FOR COMMENT AND PUBLIC NOTICE:**

A Notice of Hearing was mailed to each property owner of record within 300 feet of the subject site, the LCP Board of Review and the California Coastal Commission. Coastal Development regulations also require mailing of the notice to the resident of a house within 100 feet of the subject site. However, the Post Office in Sunset Beach does not deliver mail directly to the homes. All U.S. Postal Service delivery is through post office boxes at the Sunset Beach Post Office. To satisfy Coastal Development requirements, a Notice of Hearing was posted at the Sunset Beach Post Office. Additionally, a Notice of Hearing was posted at the site as well as the Osborne Building. A copy of the planning application along with a copy of the proposed site plan was distributed for review and comment to six County divisions and the Sunset Beach LCP Review Board. As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions by staff. The Sunset Beach LCP Review Board reviewed this proposal at public meeting on May 22, 2002 and recommended approval. In a telephone conversation with one member of the Board, it was noted that some additions in the past has

resulted in “adding additional rental units” without the required parking. The board member noted that this proposal did not appear to be designed so that it could be converted to two residential units after the project is approved.

### **CEQA COMPLIANCE:**

The proposed project is Categorically Exempt (Class 1, repair or alteration of existing structures or facilities) from the requirements of CEQA. Appendix A contains the required CEQA Finding.

### **DISCUSSION/ANALYSIS:**

There are no planning issues associated with the proposed additions. The proposal is consistent with site development standards of the SBR “Sunset Beach Residential” land use designation of the Sunset Beach Specific Plan/Local Coastal Program as shown in the chart below. The proposed project is comparable with homes recently constructed and new homes under construction along South Pacific Avenue. The proposed rear deck also conforms to the Sunset Beach standards. A condition of approval will assure that the deck is reviewed and permitted to be constructed in accordance with County Standards.

<b>STANDARD</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
Front setback Ground level 2 <sup>nd</sup> and 3 <sup>rd</sup> levels	5 feet 6 inches	5 feet 6 inches
Rear setback All levels	0 feet	0 feet
Side setback All levels, except garage  Garage	3’ adjacent to other lots 6” adjacent to street 3 feet from street r/w	3’ adjacent to other lots 6” adjacent to street 3 feet street r/w
Maximum Building height	35’ above centerline elevation of South Pacific Ave.	35’ above centerline elevation of South Pacific Ave
Parking	2 covered spaces	2 garaged spaces

Staff has determined the proposal conforms to SBR site development standards. Staff, along with the Sunset Beach LCP Review Board, supports the Coastal Development Permit for the proposed addition and the new ground level deck. Staff makes a recommendation as follows.

**RECOMMENDED ACTION:**

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA02-0046 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief  
CPSD/Site Planning Section

WVM

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**APPENDICES:**

- A. Recommended Findings
- B. Recommended Conditions of Approval

**EXHIBITS:**

1. Applicant's Letter of Explanation
2. Site Photos
3. Site Plans

**APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$245.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to the Planning and Development Services Dept.

In addition, this project is within the Coastal Zone and is an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.